IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.38797 of 2008

1. ANIRUDH PRASAD, @ ANIRUDHJI PRASAD, S/O LATE KEDAR NATH PRASAD, R/O VILLAGE-NAYA BAZAR SASAMUSA, P.S. KUCHAIKOT, DISTRICT-GOPALGANJ.
2. SHANKAR SAH, S/O LATE RAJA SAH,
3. HIRA LAL PRASAD, S/O LATE SHIOSHANKAR PRASAD.
4. BINOD PRASAD, S/O LATE BISHWANATH PRASAD,
5. NAND LAL SAH, S/O LATE HARIKISHUN SAH,
6. DHANJEE SAH, S/O LATE SHANKAR SAH,
7. SAMPATO DEVI, W/O PRASHURAM PRASAD.
All R/O VILLAGE.SIRISIA BAZAR, P.S. KUCHAIKOT, DISTRICT-GOPALGANJ.
8. BINOD PRATAP SINGH,
9. JITENDRA PRATAP SINGH,
BOTH SONS OF BAIRISHTER PRATAP SINGH, R/O VILLAGE-CHAKHASSANA, P.S. KUCHAIKOT, DISTRICT-GOPALGANJ.
10. JITENDRA KUMAR SINGH, S/O LATE BABAN SINGH, R/O VILLAGE.-BEDUA, P.S. KUCHAIKOT, DISTRICT-GOPALGANJ.
11. BACHA PRASAD, S/O MURALI PRASAD, R/O REGISTERY OFFICE, GOPALGANJ, P.S. AND DISTRICT-GOPALGANJ.
-PETITIONERS

Versus

THE STATE OF BIHAR -OPP.PARTY

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2 25.11.2008 According to the complaint, complainant purchased the subject plot of land from the true owner, ex-landlord. According to the complaint some of the accused persons without any title to the land in question sold the same to other accused persons. In relation to the land in question there is a proceeding under Section 144 of the Code of Criminal Procedure followed by a civil suit. Considering the fact that if the sellers accused persons had no title to the land

in question they could not convey the same to the purchaser accused persons, and taking note of the fact that a civil suit, relating to the self same land, is pending between the parties, I allow the application of the petitioners for grant of anticipatory bail to the petitioners.

Let the petitioners, in the event of their arrest or surrender within six weeks from today, be enlarged on bail on each of them furnishing bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj, in Complaint Case no. 2132 of 2007, Tr. No. 2488 of 2008, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

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(Barin Ghosh, J.)

AAhmad